

REMARKS

Reconsideration of the application is requested.

Claims 1-7, 11-25 and 29-35 remain in the application.

Claims 1-7, 11-25 and 29-35 are subject to examination.

Claims 1 and 19 have been amended. Claims 8-10 and 26-28

have been canceled.

Under the heading "Drawings" on page 2 of the Office Action, the Examiner objected to the drawings for not showing the heat sink recited in claims 13 and 31. Fig. 1 has been amended to show the heat sink 5. The specification has been amended to recite the reference numeral 5 for the heat sink on page 11 of specification.

Under the heading "Claim Objections" on page 3 of the above-identified Office Action, the Examiner objected to claim 24 as being a substantial duplicate of claim 6. In view of the Examiner's statement, claim 24 has been amended to depend from claim 23 to overcome the objection.

Under the heading "Claim Rejections - 35 USC § 102" on pages 3-4 of the above-identified Office Action, claims 1-4, 7-11, 19-22 and 25-29 have been rejected as being fully anticipated

by U.S. Patent No. 5,947,587 to Keuper et al. (hereinafter Keuper) under 35 U.S.C. § 102.

The rejection has been noted and the claims 1 and 19 have been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found from original claims 9-10 or 27-28 of the instant application.

According to amended claims 1 and 19 of the instant invention, the light elements 2 are SMT compatible LEDs and/or LED semiconductor bodies fitted directly to the surface of the base plate 1. In contrast, Keuper teaches common radial LEDs. Radial LEDs have a radial housing 1, 5 containing a LED semiconductor body 4 and leads protruding from/into the housing, as shown in Figs. 1 and 3 of Keuper.

The radial-symmetric LEDs known from prior art are not surface mountable because they exhibit at least two lead wires. These lead wires have to be put through holes within the base plate (e.g. substrate 5 in Keuper). Then, the lead wires are soldered for fixing and contacted to the substrate 5. Fig. 1 of Keuper clearly shows that the leads of LEDs 4 extend through the substrate 5.

Therefore, it is respectfully stated that the Examiner's statement on page 4, line 11 of the Office Action is believed to be incorrect. More specifically, the Examiner states "... said light elements are semiconductor bodies fitted directly on said base plate" as shown in Fig. 1 of Keuper is incorrect.

The use of SMT-compatible LEDs and/or LED semiconductor bodies fitted directly to the base plate has substantial advantages. It allows a denser packaging of the light elements and therefore an improved brightness as well as an additionally improved dissipation of heat, resulting in better performance and reliability. These results cannot be derived from Keuper.

Under the heading "Claim Rejections - 35 USC § 103" on pages 4 and 5 of the above-identified Office Action, claims 12-18 and 30-35 have been rejected as being obvious over U.S. Patent No. 5,947,587 to Keuper et al. (hereinafter Keuper) in view of U.S. Patent Disclosure No. 2003/0189829 to Shimizu et al. (hereinafter Shimizu) under 35 U.S.C. § 103.

Applicant respectfully believes that Shimizu is not prior art with respect to the instant application. The instant application is a continuation of copending international

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application **PCT/DE00/04591**, filed **December 22, 2000**.

Pursuant to 35 U.S.C. § 363, the instant application has a filing date of **December 22, 2000**, because the instant application designated the United States. This date is prior to Shimizu's earliest filing date of **August 8, 2002**.

Accordingly, Shimizu is unavailable as prior art.

Therefore, applicant respectfully submits that the rejection in the Office action under Section 103 is moot.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 19. Claims 1 and 19 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1 or 19.

Finally, applicant appreciatively acknowledges the Examiner's statement that claims 5, 6 and 23 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In light of the above, applicants respectfully believe that rewriting of claims 5, 6 and 23 is unnecessary at this time.

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In view of the foregoing, reconsideration and allowance of claims 1-7, 11-25 and 29-35 are solicited.

Petition for extension is herewith made. The extension fee for response within a period of three months pursuant to Section 1.136(a) in the amount of \$1020.00 in accordance with Section 1.17 is enclosed herewith.

If an extension of time is required, petition for extension is herewith made. Any extension fee associated therewith should be charged to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

For Applicant

REL:cgm

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DRAWING AMENDMENTS

The attached sheet of drawings includes changes to Fig. 1. This sheet which includes Figs. 1-2, replaces the original sheet including Figs. 1-2. In Fig. 1, a heat sink 5 was added.

Please approve the drawing changes that are marked in red on the accompanying "Annotated Sheet Showing Changes" of Fig. 1. A formal "Replacement Sheet" of amended Fig. 1 is also enclosed.

Attachments: Replacement Sheet

Annotated Sheet Showing Changes



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FIG 1

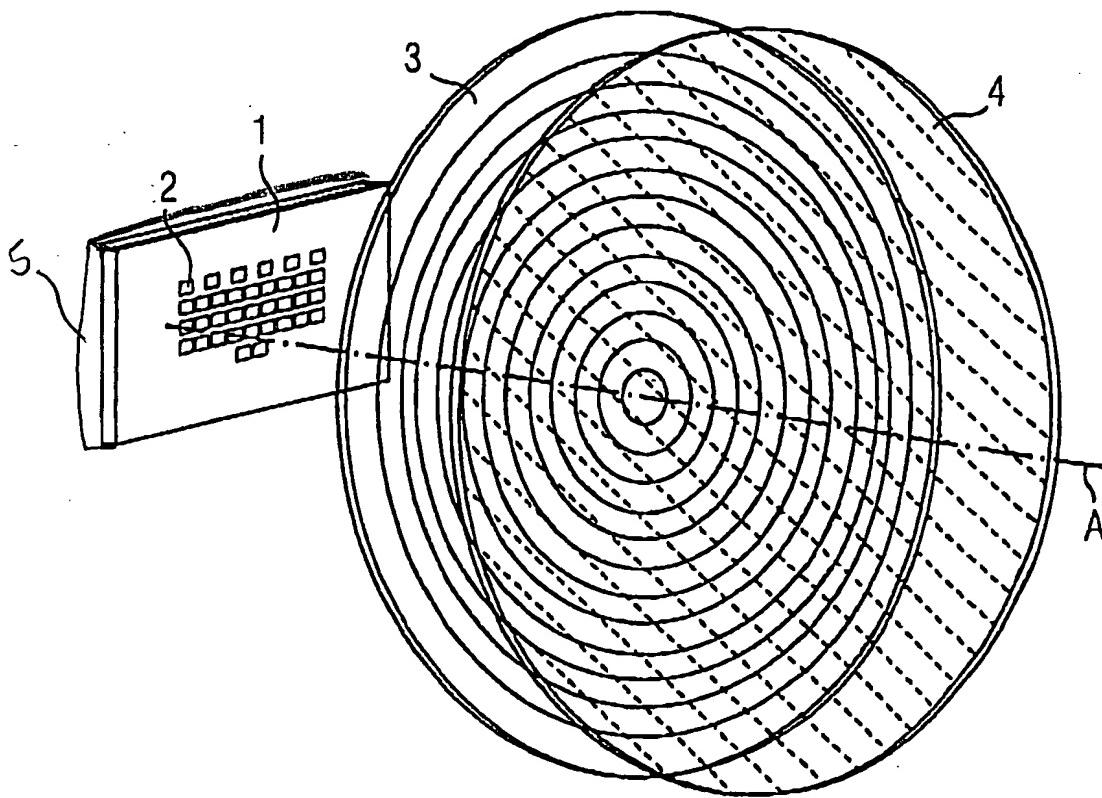


FIG 2

